

the overwhelming majority of students are economically disadvantaged. In other words, their parents can't buy a house in the best school district in town. Their parents don't have the money to send them to a private school. And so charter schools represent the only real option—public, tuition-free schools that are open to all students.

I am concerned that the Biden administration is too close to the teachers unions that were responsible for much of the extended lockdowns we saw during COVID-19, and many of their members basically refused to go back to the classroom even though across the country private schools and many other educational institutions were able to continue—yes, observing social distancing, masking, all of the protocols we became very familiar with during the pandemic. But they continued to learn in person, in school—my understanding is, for example, virtually all the Catholic schools because they depend on the tuition dollars from parents, and parents weren't going to pay to have their children learn sitting in front of a computer, if they were able to learn at all. And we are only today beginning to skim the surface of the kind of damage that occurred to our students—our children—as a result of remote learning.

You know, I sort of envision a single mom with three children who may not have even graduated from high school, much less college, herself, worried about her own job, worried about being able to provide for her family, with three school-aged children, all attending different grade levels. I can't imagine being able to adequately supervise and make sure that your children are able to learn in those circumstances. Maybe you have three kids from three different grades with three separate curricula sitting in front of a computer trying to pick up whatever educational benefit that you can.

What we learned, as a result of the draconian lockdowns supported and encouraged by Randi Weingarten and the teachers unions, is that many of our children have fallen far behind. And it may take not months, not weeks, but literally years to catch up, if they ever do.

So I don't really understand this idea of some of the Biden administration and the teachers unions who don't like and won't tolerate charter schools. Is it because they are OK with children being trapped in failing schools? I can't really understand why they would view this as a threat.

Public, tuition-free, high-quality charter schools—these are public schools. They aren't private schools. These aren't for the elite. This isn't for the rich. This is for overwhelmingly economically disadvantaged students.

And so I support Senator TIM SCOTT. I applaud his leadership in this area in saying that the Biden administration should not stand in the way of these charter schools.

Every child deserves a quality education, and every parent deserves the freedom to choose the school that will serve their child best.

So I appreciate the fact that Senator SCOTT is such a tireless advocate for charter schools and is a champion of choices and alternatives for parents, many of whom are economically disadvantaged and have no other choice other than to send their child to a failing school.

I hope our colleagues will join us in voting to overturn this damaging new rule tomorrow when we vote on it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ERIC M. GARCETTI

Mr. GRASSLEY. Mr. President, I would like to express my strong opposition to the nomination of Eric Garcetti to be Ambassador to India. I am compelled to vote against Mayor Garcetti due to the serious allegations that he enabled sexual harassment and racism to run rampant in the Los Angeles mayor's office.

During my career, I have prioritized protecting victims of sexual harassment and sexual abuse. In 2005, I cosponsored the Violence Against Women Act. That bill provides vital aid to the Justice Department's Office on Violence Against Women and to law enforcement to protect victims of sexual harassment and abuse.

Over several Congresses, I have co-lead bills introduced by Senator GILLIBRAND to defend victims of sexual harassment and sexual misconduct. I cosponsored resolutions introduced by Senator FEINSTEIN to raise awareness of sexual assault. These include the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021, the Military Justice Improvement and Increasing Prevention Act of 2021, the Speak Out Act, the Campus Accountability and Safety Act, and a resolution supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month.

I have also pressed the FBI and the Department of Homeland Security for more transparency and accountability on their handling of sexual misconduct in the workplace. Moving into the next Congress, Senator DURBIN and I have agreed to jointly pursue these inquiries.

With respect to Mayor Garcetti, several credible whistleblowers approached my office about concerning allegations that he was aware of and enabled his deputy chief of staff Rick Jacobs to sexually harass several employees within the mayor's office.

These men and women allege that Rick Jacobs engaged in inappropriate

physical conduct without their consent. They alleged that Rick Jacobs made crude sexual remarks and gestures towards staff and others. They alleged that he made blatantly racist remarks toward Asians and other minorities.

These allegations have also been publicly reported in the Los Angeles Times. Text messages made public by the Los Angeles Times indicate that these instances were common knowledge among the Garcetti staff. One picture that has been made public shows Jacobs inappropriately touching an individual next to him. In the picture Mayor Garcetti is standing on the other side of Mr. Jacobs. For Mayor Garcetti to claim that he didn't know what was going on defies reason.

There is also a pending lawsuit by a Los Angeles police officer against the city of Los Angeles as a result of this type of disgraceful behavior. The kinds of behavior mentioned in the lawsuit include Jacobs subjecting the police officer to unwanted hugs, shoulder massages, and crude sexual language.

In total, my office identified over 19 individuals who have either witnessed Jacobs' behavior or were the victims of it. So who are these brave and courageous individuals who made these allegations?

Are they Republican operatives?

No. They are his former communications director, senior staffers, junior staffers, businessmen, civic leaders, and the Los Angeles Police Department officer assigned to protect him.

Despite attempts by Mayor Garcetti and the Biden administration to frame complaints against him as a political hit job, some of the individuals who have come forward and shed light on misconduct are from Mayor Garcetti's own staff.

How hypocritical is it for this administration to encourage victims of sexual harassment to speak out, yet when they do so against a powerful ally of Joe Biden, they are ignored? And they have been ignored in this matter even after providing evidence of harassment, including photographs and text messages.

When convenient, Democrats have supported claims of harassment with far less.

Just last week, President Biden signed into law a bill sponsored by Senator GILLIBRAND that I cosponsored which enabled survivors to speak out about workplace sexual assault and harassment. Continuing to push this nominee after signing that bill into law is the very definition of tone deafness.

Unfortunately, the Biden administration is sending a message to victims of sexual harassment in the workplace that they will only be believed when politically convenient. As a result, the Biden administration and all those who support this nomination have no credibility when it comes to protecting victims of sexual harassment.

I conducted a thorough investigation of the allegation irrespective of partisan politics. That is my reputation.

The evidence is clear that Jacobs engaged in blatant sexual misconduct and racist behavior and did it for years. The evidence is clear that Mayor Garcetti either had direct knowledge of it or chose willful ignorance as a defense.

Nobody is that brazen to engage in this type of outrageous behavior against other people unless they know that they have a powerful enabler protecting them. Based on the facts and the evidence, the enabler is Mayor Eric Garcetti.

To defend himself, Mayor Garcetti has pointed to a report which inconceivably purports to clear Jacobs of any wrongdoing. The report was conducted by a law firm hired and paid for by the city of Los Angeles.

Mayor Garcetti and the City of Los Angeles would be liable if the report concluded sexual harassment occurred. The report was also delivered to the city of Los Angeles under attorney-client privilege, apparently in the hope that no one outside the city would ever see it.

The report failed to interview multiple firsthand witnesses. The interviews were not taken under penalty of perjury.

The report focused exclusively on allegations of sexual harassment made by the Los Angeles Police Department and—get this—failed to give due weight to other witnesses.

For example, the report includes an interview with Jacobs in which he admits he used racist language, kissing, hugging, and squeezing people's shoulders. The report also identifies the individual in the lewd photo I mentioned earlier. The report says that the individual stated that Jacobs' actions weren't funny and embarrassed that person.

That makes it clear. It makes it clear nonconsensual, physical contact occurred. It is evidence that sexual harassment occurred. Oddly, the report makes no attempt—no attempt whatsoever—to reconcile how it can conclude there was no sexual harassment after clearly describing sexual harassment throughout.

These aren't acts of transparency; these are acts to sweep this whole thing under the rug. Although Mayor Garcetti may be indifferent to the allegations and the actions of his deputy chief of staff, my colleagues and I have a duty to take such concerning allegations and take them very seriously. Whether here in the United States or abroad, there is no place for sexual misconduct or racism.

Mayor Garcetti has had countless opportunities over the years to stand up for victims by removing his deputy chief of staff, which he failed to do. These fundamental failures by Mayor Garcetti are incompatible with the office that he seeks. Therefore, I can't, in good conscience, vote for him.

I strongly encourage my colleagues to review all of this evidence found in my investigative report as well as what

is reported in the press. The facts and the evidence compel me to vote no, and I hope my colleagues will join me in doing the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

ORDER OF BUSINESS

Mr. SCHATZ. Mr. President, I ask unanimous consent to modify the previous order so that the Senate remain in executive session until 6:15 p.m., with all provisions under the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. SCHATZ. Mr. President, our Navy and Marine Corps are the best in the world, but we face many challenges across the globe. We need to build new ships and maintain our current fleet. We need to recruit, train, and equip a force necessary to deter conflict, especially in the Indo-Pacific. We need to help keep sea lanes open for commerce and build deeper relationships with our allies and our partners.

To make sure that the Navy is able to carry out all military and civilian objectives, we allocate a lot of money for its budget. A Comptroller is critical to ensuring the accountability of taxpayer dollars and to keeping the Navy's readiness at the highest level.

Russell Rumbaugh, the nominee for this position, will bring firsthand knowledge to the job, having previously served as both special assistant to the Director and as an operations research analyst in the Secretary of Defense's Cost Assessment and Program Evaluation Office.

In having served as an Army infantry officer, Mr. Rumbaugh has had a unique perspective that will help him to support and strengthen our Navy, but his nomination is stuck because the Senator from Missouri is blocking it over disagreements, not with Russell Rumbaugh and not even necessarily with the Department of the Navy but with the Biden administration and Afghanistan policy.

I know because we have been here before, actually, Senator HAWLEY and I, I think, three times. This is the third time. I know what he is going to do today. I am going to make a unanimous consent request that we get the Navy a Comptroller, and he is going to say: No. I want a special committee on the Afghanistan withdrawal.

I am not the Armed Services chairman, and I am not the majority leader. I can't authorize that kind of thing. In any case, the House Armed Services Committee is absolutely, under a presumed Speaker McCarthy, going to do tons of oversight in this space.

My basic complaint about this tactic is that it is not what this power is for. It is not what this power is for. We are all given the ability to block a nominee. It is supposed to be used sparingly and not in the fashion that it is being

used by the Senator from Missouri. The Senator from Missouri, essentially, has got a total blanket hold. Sometimes, he allows the body to vote on somebody, but the demand, which he knows will never be accepted, remains. Otherwise, he will block the logistics guy at the Army; he will block the fiscal guy at the Navy; he has blocked numerous Department of Defense nominees not because of their qualifications and not because of any particular dispute regarding the nominee but because he is mad about the Afghanistan withdrawal. Lots of people are mad about the Afghanistan withdrawal, but only Senator HAWLEY does this.

I would just submit that the right way to influence foreign policy is on the floor as an amendment to the Defense authorization or to the State Department authorization or on the Senate Foreign Relations Committee or on the Senate Armed Services Committee, but not just by stomping your feet and disabling the Department of Defense from doing the work that it needs to do.

I just got out of a meeting. I came right out of this meeting with the Chief of Naval Operations. We talked a little bit about this position, and he talked to me about how important it was. So Senator HAWLEY and I may have a different view about the Afghanistan withdrawal, but I don't understand what Russell Rumbaugh has to do with this. He is an eminently qualified person. I don't even think the Senator from Missouri is alleging that this guy couldn't do the job or shouldn't do the job. It is just that he is mad about something else.

So we have got to break this logjam. The Senator from Missouri has been doing this for, well, more than a year now, and the Department of Defense itself is suffering. We have exchanged some pretty tough words, but I just hope that he sees fit to separate his foreign policy objections around Joe Biden being President and Secretary Austin and Secretary Blinken. Fair enough. It is a free country. He is a Republican; I am a Democrat. These are the kinds of fights that we have. But why block the Comptroller from the Navy? It just makes no sense to me.

I ask unanimous consent that the Senate consider the following nomination: Calendar No. 972, R. Russell Rumbaugh, to be an Assistant Secretary of the Navy; that the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Missouri.

Mr. HAWLEY. Mr. President, in reserving the right to object, I ask for permission to hold up this shirt.

Mr. SCHATZ. I object.

The PRESIDING OFFICER. Objection is heard.